THE HONOURABLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.3693 OF 2005

Dated: 20.10.2005

Between:

Dr. G.N.Rao, Occ: Medical Practitioner, R/o.H.No.9-70/1, Street No.4, HMT Nagar, Nacharam, Ranga Reddy District and others.

...PETITIONERS

AND

Government of Andhra Pradesh, rep. by its Principal Secretary, R & B Department, Secretariat, Hyderabad and others.

...RESPONDENTS

ORDER:

Though the matter is listed under the caption 'for orders' none appears for the petitioners.

This writ petition is filed seeking writ of mandamus declaring the alleged action of the respondents in seeking to lay a road through the land in Sy.Nos.80 and 81 of Madharam village, Ankushapur Gram Panchayat, Ghatkesar Mandal, Ranga Reddy District, as illegal and arbitrary.

When the writ petition was listed for admission on 25.02.2005 the learned Government Pleader for Roads and Buildings,

on instructions, represented that the work in respect of the existing road has been transferred to the Department of Roads and Buildings from the fifth respondent and no new road is being formulated through the land of the petitioners in Survey Nos.80 and 81 of Madharam village.

Now the Executive Engineer (R & B) Roads Division, Hyderabad, has filed a counter affidavit, categorically stating that the existing road is passing through Sy.No.83 but not in Sy.Nos.80 and 81 of Madharam Village as alleged by the petitioners. It is also stated that the existing road taken over from the Panchayat Raj Department is in Sy.No.83 only and it is only the apprehension of the petitioners that the road will be formed in Sy.Nos.79, 81 and 82.

Though the said counter affidavit has been served on the learned counsel for the petitioners on 08.07.2005 no reply affidavit has been filed disputing the said version of the respondents.

In the circumstances, recording the statement of the respondents that no road is being laid in Sy.Nos.80 and 81 of Madharam Village, the writ petition is disposed of. There shall be no order as to costs.

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G. ROHINI, J

October 20, 2005

DSK